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Confirmation No.: 4801

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants: Roby et al.

Examiner: J. D. Anthony

Serial No.: 10/674,643

Group: Art Unit 1714

Filing Date: September 30, 2003

Docket: T-6172 (538-52)

For: ENGINE OIL COMPOSITIONS

Dated: September 21, 2007

MAIL STOP APPEAL BRIEF-PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Sir:

In response to the Notice of Non-Compliant Appeal Brief dated August 31, 2007,

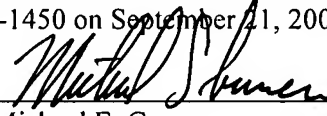
Applicants enclose the following:

- A corrected version of SUMMARY OF CLAIMED SUBJECT MATTER of section 5 in the Appeal Brief filed on July 31, 2007 in compliance with 37 C.F.R. §41.37(c)(1)(v); and
- Copy of Notice of Non-Compliant Appeal Brief.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: MAIL STOP APPEAL BRIEF-PATENTS Commissioner for Patents, Alexandria, VA 22313-1450 on September 21, 2007.

Dated: September 21, 2007



Michael E. Carmen

All outstanding informalities are now believed to be corrected. Should any additional informalities still exist, please contact Applicants' undersigned representative to resolve any such matters.

Also, please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-3591. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Carmen". The signature is fluid and cursive, with the first name "Michael" being more prominent.

Michael E. Carmen

Reg. No. 43,533

Attorney for Applicant

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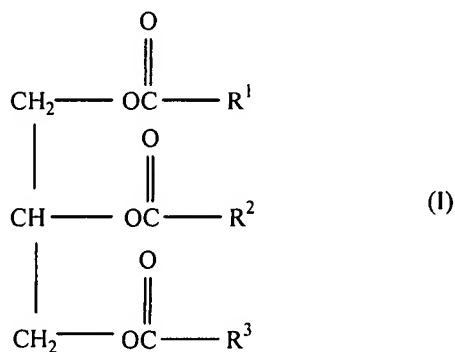
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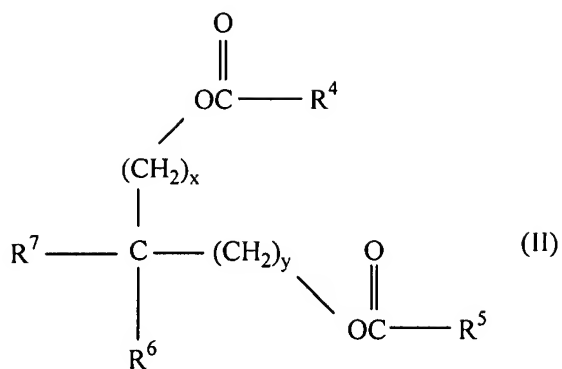
(5) SUMMARY OF CLAIMED SUBJECT MATTER

One invention of the appealed claims directed to independent Claim 1 provides a lubricating oil composition (page 1, lines 5-6, and page 5, lines 2-4). The lubricating oil composition of the first invention comprises (a) a major amount of a base oil of lubricating viscosity (page 5, lines 4-6; page 9, lines 5-8; and page 10, line 4 through page 15, line 3); and (b) a minor deposit-inhibiting effective amount of a reaction product prepared by transesterifying at least one glycerol ester with at least one non-glycerol polyol ester (page 5, lines 18-22; page 8, lines 21-23 and page 12, line 15 through page 17, line 6).

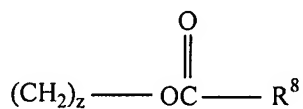
A second invention of the appealed claims directed to independent Claim 15 provides a lubricating oil composition (page 1, lines 5-6, and page 5, lines 9-10). The lubricating oil composition of the second invention comprises (a) a major amount of a base oil of lubricating viscosity (page 5, lines 9-10; and page 9, line 1 through page 10, line 4 through page 15, line 3); and (b) a minor deposit-inhibiting effective amount of a reaction product of at least one first polyol ester of the general formula:



wherein R^1 , R^2 and R^3 are independently aliphatic hydrocarbyl moieties having 4 to about 75 carbon atoms; and at least one second polyol ester of the general formula:



wherein x and y are the same or different and are integers from 1 to 6, R⁴ and R⁵ are independently aliphatic hydrocarbyl moieties having 4 to 24 carbon atoms and R⁶ and R⁷ are independently hydrogen, an aliphatic hydrocarbyl moiety having 1 to 10 carbon atoms or



wherein z is an integer from 0 to 6 and R⁸ is an aliphatic hydrocarbyl moiety having 4 to 24 carbon atoms (page 5, line 10 through page 6, line 8; and page 15, line 4 through page 21, line 5).